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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR04-358-MJP
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 PATRICIA MARIE LACEY,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on February 3, 2006. The United States was represented by AUSA Susan M. Roe and the
16 defendant by Carol A. Koller . The proceedings were digitally recorded.

17 Defendant had been sentenced on or about February 9, 1994 by the Honorable William L.
18 Dwyer on a charge of Conspiracy to Distribute Cocaine, and sentenced to 135 months custody,
19 5 years supervised release.

20 The conditions of supervised release included the standard conditions plus the requirements
21 that defendant not possess any firearms, submit to search, participate in a narcotic addiction/drug
22 dependency treatment and testing program, abstain from the use of alcohol, and provide access

01 to financial information. Probation was initially transferred to the Eastern District of California in
02 February 2004. Supervision was transferred back to this District in July 2004 and assigned to the
03 Honorable Marsha J. Pechman. (Dkt. 3).

04 On August 5, 2005, defendant admitted to violating the conditions of supervised release
05 by using cocaine and opiates, and by failing to participate in substance abuse treatment. (Dkt. 9).
06 The defendant was sentenced to sixty-three days in custody, followed by 48 months of supervised
07 release. Previous conditions of supervised release were re-imposed, and the defendant was
08 required to participate in a drug treatment program at Pioneer Human Services. (Dkt. 12).

09 In an application dated December 8, 2005 (Dkt 13), U.S. Probation Officer Monique D.
10 Neal, alleged the following violations of the conditions of probation:

11 1. Using Cocaine, on or before October 13, and October 21, 2005, in violation of
12 standard condition #7.

13 2. Failing to report for drug testing as directed by the U.S. Probation Office on
14 November 18, November 22, November 29, and December 7, 2005, in violation of the special
15 condition that the defendant participate in a program approved by the probation officer for
16 treatment of narcotic addiction or drug or alcohol dependency, which may include testing and
17 examination to determine if the defendant has reverted to the use of drugs or alcohol.

18 3. Failing to participate in substance abuse treatment, in violation of the special
19 condition that the defendant participate as instructed by the probation office in a program for
20 treatment of narcotic addiction or drug dependency.

21 Defendant was advised in full as to those charges and as to her constitutional rights.

22 Defendant admitted the alleged violations and waived any evidentiary hearing as to

whether they occurred.

I therefore recommend the Court find defendant violated her supervised release as alleged, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Pechman.

Pending a final determination by the Court, defendant has been detained.

DATED this 3rd day of February, 2006.



Mary Alice Theiler
United States Magistrate Judge

cc:	District Judge:	Honorable Marsha J. Pechman
	AUSA:	Susan M. Roe
	Defendant's attorney:	Carol A. Koller
	Probation officer:	Monique D. Neal